

### **REMARKS**

Claims 22-42 are pending and under current examination. Applicants have amended claims 22 and 32. Support for the amendments to independent claims 22 and 32 may be found in the specification at, for example, p. 17, line 23 to p. 19, line 18.

Applicants traverse the rejection of claims 22-42 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent App. Pub. No. 2005/0060542 A1 ("Risan") in view of U.S. Patent No. 7,630,986 ("Herz").

#### **Rejection of Claims 22-42 under 35 U.S.C. § 103(a)**

Applicants request reconsideration and withdrawal of the rejection of claims 22-42 under 35 U.S.C. § 103(a) as being unpatentable over Risan in view of Herz.

Amended claim 22 recites, in part, the following features:

... , wherein said function defines:

    a value indicating a degree of trust acknowledged by said second application to the usage data provided by said first application,

    a first preference value from usage data provided by said first application, and

    a second preference value from usage data provided by said second application; and

calculating, using the user modeling server, a final preference value associated with a user preference for said second application based on said first preference value, said second preference value, and the value indicating said degree of trust acknowledged by said second application to the usage data provided by said first application, the value indicating said degree of trust being applied to said first preference value as a weight.

Risan and Herz, whether taken alone or in combination, do not teach or suggest at least the above-quoted combined features recited in amended claim 22. The Final Office Action admits that Risan does not teach or suggest the "calculating" step, and relies on Herz to allegedly

cure the deficiencies of Risan. *See* Final Office Action, p. 4. The Final Office Action cites to col. 104, lines 55-67, col. 182, line 61-col. 183, line 14, and col. 200, lines 12-23 of Herz.

Although Herz discloses certificates for establishing “trust between different agents” (col. 8, lines 24-26), and “[i]n order for this prequalification of the requester to unilaterally work so as to assure the requestee with the level of confidence and trust in the requester . . .” (col. 204, lines 22-25), Herz does not teach or suggest defining “a value indicating a degree of trust acknowledged by said second application to the usage data provided by said first application,” as recited in claim 22 (emphasis added).

Moreover, Herz does not teach or suggest, either at the portions cited by the Final Office Action or at any other portions, “calculating, using the user modeling server, a final preference value associated with a user preference for said second application based on said first preference value, said second preference value, and the value indicating said degree of trust acknowledged by said second application to the usage data provided by said first application, the value indicating said degree of trust being applied to said first preference value as a weight,” as recited in claim 22 (emphases added). Herz simply does not teach or suggest performing such a calculation based on the claimed “first preference value,” “second preference value,” and “value indicating said degree of trust acknowledged by said second application,” much less applying the “value indicating said degree of trust . . . to the first preference value as a weight,” as recited in claim 22. Therefore, Herz does not cure the deficiencies of Risan.

Risan and Herz, whether taken alone or in any combination, do not render claim 22 obvious. Accordingly, claim 22 should be allowable over Risan and Herz. Although of different scope, amended independent claim 32 recites features similar to those discussed above in connection with claim 22. Therefore, claim 32 should also be allowable over Risan and Herz for at least the same reasons discussed above in connection with claim 22. In addition, dependent

claims 23-31 and 33-42 should be allowable at least by virtue of their respective dependence from base claim 22 or 32, and because they recite additional features not taught or suggested by Risan and Herz. Applicants therefore respectfully request withdrawal of the 35 U.S.C. § 103(a) rejection.

**Conclusion**

Applicants request reconsideration of the application and withdrawal of the rejection. Pending claims 22-42 are in condition for allowance, and Applicants request a favorable action.

The Final Office Action contains a number of statements reflecting characterizations of the cited art and the claims. Regardless of whether any such statements are identified herein, Applicants decline to automatically subscribe to any such statements or characterizations.

If there are any remaining issues or misunderstandings, Applicants invite the Examiner to telephone the undersigned representative to discuss them.

Please grant any extensions of time required to enter this response and charge any additional required fees to Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: January 25, 2011

By: 

David M. Longo  
Reg. No. 53,235

/direct telephone: (571) 203-2763/